

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 90-77-T - ORDER NO. 90-148

February 21, 1990

IN RE: Application of Lucius Allen, 712 Old)
Manor Road, Apartment 707, Columbia,) ORDER
SC 29210, for a Class E-ICC Certifi-) GRANTING
cate of Public Convenience and) CERTIFICATE
Necessity.)

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of the Application filed by Lucius Allen (the Applicant), whereby the Applicant seeks certain relief in the nature of the issuance of a Class E Certificate of Public Convenience and Necessity to transport:

AIR FREIGHT in accordance with Interstate Commerce Act Section 203(b) (7a) and 49 C.F.R. §1047.40.

This Certificate does not authorize any motor carrier service. It merely acknowledges that the person to whom it has been issued has expressed an intent to perform motor carrier services which come under the exemption provided by Part II of the Interstate Commerce Act, Section 203(b) (7a) and the rules and regulations of the Interstate Commerce Commission, namely, 49 C.F.R. §1047.40. Furthermore, this exemption applies only to interstate transportation of passengers or property. No transportation of persons or property moving in intrastate commerce may be performed under this Certificate.

Registration of power units domiciled in South Carolina by property carriers of commodities in interstate commerce is governed by R.103-152 of the Commission's Rules and Regulations (Vol. 26, S.C. Code Ann., 1976, as amended).

MSC

Based upon a full review of the Application herein, the Commission finds that the relief sought in the Application filed herein should be granted.

IT IS THEREFORE ORDERED:

1. That the relief sought in the Application for a Class E Certificate of Public Convenience and Necessity, restricted to Interstate Commerce Only, be, and hereby is, approved.

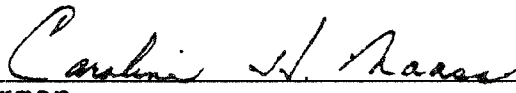
2. That the Applicant file the proper license fees and other information required by S.C. Code Ann., Section 58-23-10 et seq. (1976), as amended, and by R.103-100 through R.103-280 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann., Vol. 26 (1976), as amended, within sixty (60) days of the date of this Order or within such additional time as may be authorized by the Commission.

3. That upon compliance with S.C. Code Ann., Section 58-23-10, et seq. (1976), as amended, and the applicable provisions of R.103-100 through R.103-280 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann., Vol. 26 (1976), as amended, a certificate shall be issued to the Applicant authorizing the motor carrier services granted herein.

4. That prior to compliance with such requirements and receipt of a Certificate, the motor carrier services authorized herein may not be provided.

5. That this Order shall remain in full force and effect
until further Order of the Commission

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)